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March 31, 2006

By E-File

The Honorable Joseph J. Farnan, Jr.
U.S. District Court for the District of Delaware
844 North King Street
Lock Box 27
Wilmington, DE 19801

RE: Dobrich, et al. v. Indian River School District, et al.
Civil Action No. 05-120

Dear Judge Farnan:

This is in response to the Court's request for my clients' position with regard to Mr. Healms' representation in this matter. My clients, the Indian River School District and the Indian River School Board take no position with respect to the question of whether, in light of the dismissal of the claims against the Board members in their individual capacities, Mr. Healms may be represented in his official capacity separately from the rest of the Board by the Neuberger firm.

In addition, in response to Mr. Steven Neuberger's representation to the Court at the March 23 Scheduling Conference that my firm and Mr. Cafferky's were going to be "fired" by the Board, Mr. Neuberger is mistaken. At this point, the Board has made no decision to change its representation in this case.

Finally, I am requesting clarification of the Court's March 24, 2006 Order withdrawing this case from mediation (D.I. 85). Paragraph 2 of that Order states that "[a]ll Orders related to the mediation are extinguished and shall have no effect on this action going forward." My clients would like to confirm, so that there is no unnecessary dispute between the parties going forward, that this means that there is now no court ordered restriction on the parties publicly discussing the mediation process and the substance of the proposed settlement that the Board rejected.

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Thank you for your attention to these matters.

Respectfully,

WHITE AND WILLIAMS LLP

By: 

John D. Balaguer (Bar ID #2537)

cc: The Honorably Mary Pat Thyng (via fax)
John F. Cafferky, Esquire (via e-file)
Thomas J. Allingham, II, Esquire, via e-file
Thomas S. Neuberger, Esquire, via e-file